

(g)(1) Operators already reporting onshore lease production data to MMS in accordance with § 216.53 of this part on the effective date of this rule may request to change to the provisions of this section. Any request to change to the requirements of this section must be made by advance written notice to MMS and have MMS approval.

(2) An operator who reports production data to MMS for offshore leases in accordance with § 216.53 of this part may request to report for its onshore leases in accordance with the requirements of that section. Any such request must be made by advance written notice to MMS and have MMS approval.

(h)(1) Except where disclosure is required by law, information submitted on Form MMS-3160 that MMS classifies as confidential will be protected as such by both MMS and BLM for the period of 1 year. Operators must petition MMS for each lease or agreement to obtain a confidential classification and to extend the classification period beyond 1 year.

(2) Except as provided by statute, information submitted on Form MMS-3160 in regard to Federal leases and Indian leases which are part of a unit containing non-Indian leases is not considered to be confidential.

(3) Except where disclosure is required by law, all information submitted on Form MMS-3160 in regard to Indian leases, other than those included in paragraph (d)(2) of this section, will be considered to be confidential.

(4) Except as provided in this subsection, all other information will be released.

[53 FR 16412, May 9, 1988, as amended at 58 FR 45254, Aug. 27, 1993; 58 FR 64903, Dec. 10, 1993; 64 FR 38123, July 15, 1999]

§ 216.51 Facility and Measurement Information Form.

A Facility and Measurement Information Form (Form MMS-4051) must be filed for each facility or measurement device which handles production from any Federal or Indian lease, or federally-approved agreement, through the point of first sale or the point of royalty computation, whichever is later. The completed form must be

filed by any operator (reporting production on a Form MMS-4054) of an onshore Facility Measurement Point (FMP) that handles production from any Federal or Indian lease or federally-approved agreement prior to, or at the point of royalty determination, or any operator who acquires an onshore FMP that is currently reporting to the PAAS. The report must be filed no later than 30 days after the establishment of a new facility or measurement device, or 30 days after a change is made to an existing facility or measurement device.

[58 FR 45254, Aug. 27, 1993]

§ 216.52 First Purchaser Report.

The First Purchaser Report (Form MMS-4053) must be filed by first purchasers only upon the specific request of MMS.

[51 FR 8175, Mar. 7, 1986. Redesignated at 58 FR 64903, Dec. 10, 1993]

§ 216.53 Oil and Gas Operations Report.

(a) You must file an Oil and Gas Operations Report, Form MMS-4054, if you operate one of the following that contains one or more wells that are not permanently plugged or abandoned:

(1) An OCS lease or federally-approved agreement; or

(2) An onshore Federal or Indian lease or federally-approved agreement for which you elected to report on a Form MMS-4054 instead of a Form MMS-3160.

(b) You must submit a Form MMS-4054 for each well for each calendar month, beginning with the month in which you complete drilling, unless you have only test production from a drilling well or MMS tells you in writing to do otherwise.

(c) MMS must receive your completed Form MMS-4054 according to the following table:

If you submit your form . . .	We must receive it by . . .
(1) Electronically	The 25th day of the second month following the month for which you are reporting.
(2) Other than electronically ..	The 15th day of the second month following the month for which you are reporting.

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(d) You must continue reporting until either:

(1) BLM or MMS approves all wells as permanently plugged or abandoned and you dispose of all inventory; or

(2) The lease or agreement is terminated.

[64 FR 38124, July 15, 1999]

§ 216.54 Gas Analysis Report.

When requested by MMS, any operator must file a Gas Analysis Report (GAR) (Form MMS-4055) for each royalty or allocation meter. The form must contain accurate and detailed gas analysis information. This requirement applies to offshore, onshore, or Indian leases.

(a) MMS may request a GAR when you sell gas, or transfer gas for processing, before the point of royalty computation.

(b) When MMS first requests this report, the report is due within 30 days. If MMS requests subsequent reports, they will be due no later than 45 days after the end of the month covered by the report.

[63 FR 26367, May 12, 1998]

§ 216.55 Gas Plant Operations Report.

(a) You must submit a Gas Plant Operations Report, Form MMS-4056, if you operate either:

(1) A gas plant that processes gas originating from an OCS lease or federally-approved agreement before the point of final royalty determination; or

(2) A gas plant that processes gas from an onshore Federal or Indian lease or federally-approved agreement before the point of final royalty determination, and MMS has asked you to submit a Form MMS-4056.

(b) You must submit a Form MMS-4056 for each calendar month beginning with the month gas processing is initiated.

(c) MMS must receive your completed Form MMS-4056 according to the following table:

If you submit your Form MMS-4054 . . .	We must receive your Form MMS-4056 by . . .
(1) Electronically	The 25th day of the second month following the month for which you are reporting.

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If you submit your Form MMS-4054 . . .	We must receive your Form MMS-4056 by . . .
(2) Other than electronically ..	The 15th day of the second month following the month for which you are reporting.

(d) Your report must show 100 percent of the gas.

(e) You are not required to file a Form MMS-4056 if:

(1) Your plant has not processed gas that originated from a Federal onshore, OCS, or Indian lease, or federally-approved agreement before the point of final royalty determination for 6 months; and

(2) You notified MMS in writing within 30 days after the end of the 6-month period.

(f) You must file a Form MMS-4056 when your plant resumes processing gas that originated from a Federal onshore, OCS, or Indian lease, or federally-approved agreement before the point of final royalty determination.

[64 FR 38124, July 15, 1999]

§ 216.56 Production Allocation Schedule Report.

(a) Any operator of an offshore Facility Measurement Point (FMP) handling production from a Federal lease or federally-approved agreement that is commingled (with approval) with production from any other source prior to measurement for royalty determination must file a Production Allocation Schedule Report (Form MMS-4058). This report is not required whenever all of the following conditions are met:

(1) All leases involved are Federal leases;

(2) All leases have the same fixed royalty rate;

(3) All leases are operated by the same operator;

(4) The facility measurement device is operated by the same person as the leases/agreements;

(5) Production has not been previously measured for royalty determination; and

(6) The production is not subsequently commingled and measured for royalty determination at an FMP for which Form MMS-4058 is required under this part.

(b) You must submit a Production Allocation Schedule Report, Form